

May 7, 2009

A regular Meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 7th day of May at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Supervisor

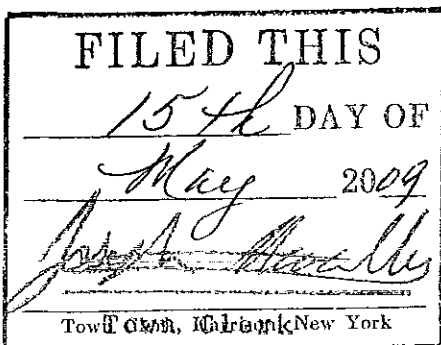
Joseph Cannella)
Patrick Vetere)Councilmen
Thomas Scappaticci)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegetti Town Attorney
Robert Paladino..... Village Attorney
Jonathan Kraut Deputy Village Attorney
David Hall Chief of Police
Maureen MacKenzie Comptroller
Robert Wasp Commissioner of Public Works
Ron Belmont Superintendent of Recreation
Mark Heinbockel Deputy Assessor
Robert FitzSimmons Building Inspector

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May 7, 2009

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PRESENTATION OF THE MAYOR'S CHOICE ARTS AWARD

Supervisor Walsh presented the Mayor's Choice Arts Award to the following students:

Annie Cooper – Purchase Elementary School – Grade 2

Nicole Nardozzi – Parsons Memorial School – Grade 5

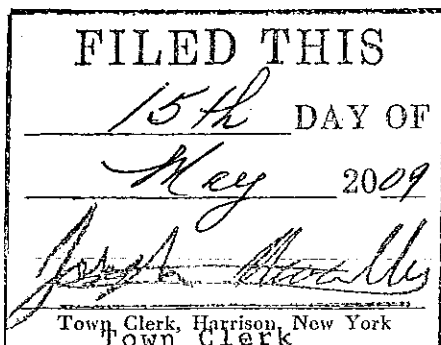
Amanda Pierce, Hailey Schimmel and Jaclyn Seals – Holy Child Middle School – Grade 6

Maia Dolphin-Krute – Harrison High School – Grade 10

The students' art will be hung in the Municipal Building.

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May 7, 2009

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PRESENTATION: DAVE ROGERS OF RBC DAIN RAUSCHER
RE: FIRE DISTRICT #1, LENGTH OF SERVICE AWARDS PROGRAM

Dave Rogers of RBC Dain Rauscher addressed the Board regarding the Length of Service Awards Program in Fire District #1. Mr. Rogers stated he wanted to discuss two matters with the Town Board. The first being current financial situation the program is in given the economic climate and the second being the proposal he (Mr. Rogers) brought before the Board a few months ago regarding his compensation. Mr. Rogers handed out a folder to the members of the Board including performance results of the departments. Mr. Rogers explained that the financial markets have been down in the second portion of 2008 and first part of 2009. Mr. Rogers went on further to explain that the financial market has been better during the months of March and April. Mr. Rogers went on to state that he sends financial performance reports to the Harrison Comptroller on a quarterly basis. There is also an investment policy statement in place that targets a 6% rate of return over time which is a target return. RBC also targets 30% of the equity market in which Mr. Rogers has some latitude there to go as high as 40% and as low as 15%. Mr. Rogers further explained he is as low as he can get right now therefore he has completely minimized equities and that is why the program was not down as much as last year. Mr. Rogers explained that he was taking advantage of the high market rates over the past few months. The program has plenty of cash and CD's on hand to match the liabilities and payouts to the firefighters.

Councilman Vetere questioned why Mr. Rogers was investing some money in Freddie Mac.

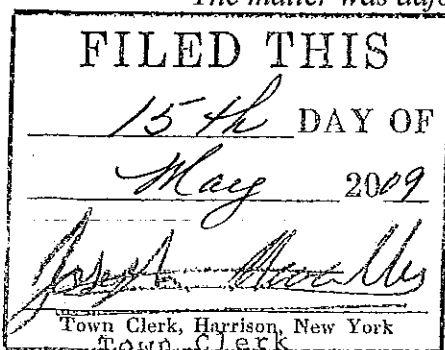
Mr. Rogers replied it was not a stock but rather mortgages backed securities. These are backed by the Federal government and are working out well for the program. Mr. Rogers explained the reason why he invested in them is because they have a good yield relative to cash or CD's. Mr. Rogers further stated he has made a proposal to the Board regarding his compensation. Currently, Mr. Rogers is paid a commission and he makes all the investment decisions. Mr. Rogers explained the regulators are no longer allowing investors like him to have the day to day discretion because it has been abused in the past by others. Mr. Rogers is proposing to have legal discretion to invest and be paid a fee not a commission. This would be considerably cheaper, it would still allow Mr. Rogers to have day to day discretion on investments and there is still significant oversight. Mr. Rogers requested the Board approve this change in agreement.

Supervisor Walsh stated she had not read the full agreement and was not prepared to render a vote.

The matter was adjourned to a later date.

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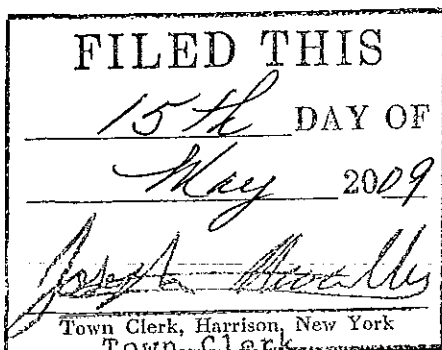
May 7, 2009

2009 -- 180 -- b
UPDATE FROM SUPERVISOR WALSH
RE: 2009 BUDGET

Supervisor Walsh explained that the town is short \$500,000 due to shortfalls in revenue for the 2009 budget. The Supervisor and the Comptroller met with each Department Head and cut \$500,000 from the budget line. The Board then held a meeting with the Department Heads last week to discuss ways to bring in additional revenue to the town as well as save on costs. In addition, the Supervisor held a meeting with town employees on Monday to discuss the current financial situation with them and ask for more ideas on ways to bring in revenue. The town has broken projects into the three categories. The first is "Things We *Must* Do" such as snow removal, fixing potholes, maintaining the parks and street lighting. The second being "Things We *Should* Do" such as recreation programs, sanitation twice a week, repaving streets and the "It's Great to Live in Harrison" celebration. The third category is "Things We *Would Like* to Do" such as new flowers in town, new flags, fireworks (4th of July cancelled already). Supervisor Walsh discussed these categories with the employees and received numerous ideas on ways to increase revenue and save costs. Seven people have volunteered for a special committee to continue the work the employees started. The Supervisor thanked the employees for their work on this matter.

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May 7, 2009

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APPROVAL OF THE CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Quarterly report from the Director of Library for the months of January, February and March 2009.
- 1b. Monthly report from the Chief of Police for March 2009.
- 1c. Monthly report from the Commissioner of Public Works for March 2009, with chart of complaints and requests for service.
- 1d. Monthly report from the Fire Marshall for April 2009.
- 1e. Monthly report from the Receiver of Taxes for April 2009.

Supervisor Walsh commended Receiver of Taxes Nancy Masi for her efforts to collect back taxes from residents.

2. Notification that Bernie Guagnini will participate in the Swim Across America event as the oldest swimmer, at the Saxon Woods Pool on Sunday, August 2, 2009. Proceeds will go to raise funds for cancer research. Contributions are greatly appreciated. Checks should be made payable to Swim Across America and sent to Mr. Guagnini, 35 Mathews St, Harrison, NY 10528.

Adopted by the following vote:

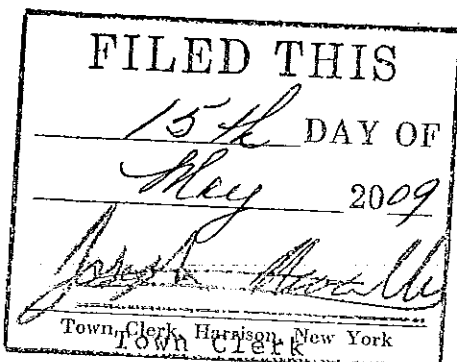
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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May 7, 2009

2009 -- 182 -- a

PUBLIC HEARING

ADDING "CHAPTER 208" TO THE TOWN/VILLAGE CODE ENTITLED
"TEMPORARY STORAGE CONTAINERS AND CONSTRUCTION DEBRIS
CONTAINERS" AS LOCAL LAW NO. 1 OF 2009.

On motion of Councilman Vetere, seconded by Councilman Cannella with all members voting in favor the Hearing was opened.

Deputy Village Attorney Jonathan Kraut explained the purpose of this law was to regulate the locations and length of time temporary storage containers and construction debris containers can be placed on lots. Mr. Kraut further explained this law would not apply to general refuse containers that are used in the everyday operations of a business.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor the Hearing was closed.

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FILED THIS

15th DAY OF

May 2009

Town Clerk, Harrison, New York
Town Clerk

May 7, 2009

2009 - - 182 - - b

ADOPTION OF "CHAPTER 208" TO THE TOWN/VILLAGE CODE ENTITLED
"TEMPORARY STORAGE CONTAINERS AND CONSTRUCTION DEBRIS
CONTAINERS" AS LOCAL LAW NO. 1 OF 2009.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to adopt "Chapter 208" to the Town/Village Code entitled "Temporary Storage Containers and Construction Debris Containers" as Local Law No. 1 of 2009.

Chapter 208

Temporary Storage Containers and Construction Debris Containers

§ 208-1 Use of Legislative Findings.

It is the intention of the Town/Village Board to maintain a clean, wholesome and attractive community and to guard against the creation of nuisances and conditions that may endanger the health, safety and welfare of the residents; spread disease; create fire hazards; reduce the value of properties; interfere with the use and enjoyment of adjoining properties and interfere with the comfort and well being of the public.

§ 208-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CONSTRUCTION DEBRIS CONTAINER – Any container for the collection of construction waste, construction garbage, refuse or other construction rubbish with four cubic yards of capacity or larger.

TEMPORARY STORAGE CONTAINER – Any portable container, receptacle or device of a type commonly used for the temporary storage of personal property, and specifically including those storage facilities generally referred to as a portable on demand storage unit (PODS).

§ 208-3 Statement of Purpose.

Temporary Storage Containers may only be used by homeowners and contractors within the Town/Village of Harrison during the specific period of time that a valid building permit or certificate of occupancy remains in force for construction on a homeowner's residence. Furthermore, a valid permit must be obtained from the Town/Village by either the homeowner or contractor before the unit is delivered in Harrison. This permit must be displayed in a conspicuous place on the enclosed temporary storage container at all times.

§ 208-4 Temporary Storage Unit Permits.

- (1) Before a Temporary Storage Container unit can be located and utilized by a resident in the Town/Village of Harrison, a permit is required to be obtained from the Building Inspector. The permit application shall be signed by the homeowner or the owner of the property where the container or portable on demand storage unit is to be placed.
- (2) No permit shall be valid for longer than five months.

§ 208-5 Requirement for Placements and Use of Temporary Storage Containers.

The following requirements shall apply to the placement and use of temporary storage units:

- (1) It shall be unlawful for any person or entity to place or permit the placement of a Temporary Storage Container on property located within the Town/Village without obtaining a written permit as provided above.
- (2) Only one Temporary Storage Container shall be located on any one property at any given time.
- (3) Temporary Storage Container shall be limited to a maximum size of 9 feet in height, 10 feet in width and 20 feet in length.
- (4) Temporary Storage Container shall not be located in any portion of the front yard, other than on a driveway or other paved surface. When placed on a driveway, Temporary Storage Container must be placed at the farthest practicably accessible point from the street. A Temporary Storage Container shall not be placed less than 5 feet from any property line.
- (5) Temporary Storage Container are prohibited from being placed in or on public or private roadways or rights-of-ways.
- (6) Temporary Storage Container shall not be located in a manner that blocks the flows or obstructs the vision or sight of vehicles and pedestrians traveling on public or private roadways, sidewalks or parking lots.
- (7) The applicant, as well as the supplier, shall be responsible for ensuring that the Temporary Storage Container is installed and maintained in a good and safe condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks, or in any way which might create a hazard to the general public or any unsightly condition on the property.

- (8) Temporary Storage Container shall be conspicuously marked with the name and address of the supplier and have affixed thereon a copy of the written permit authorizing the placement of the temporary storage unit on the property.
- (9) No Temporary Storage Container shall be used for habitable purposes or to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for use other than at the property where the Temporary Storage Container is located (i.e. used for retail sales) or any other illegal or hazardous material. Upon reasonable notice to the applicant, the Town/Village may inspect the contents of any Temporary Storage Container at any reasonable time to ensure that is not being used for any prohibited purpose.
- (10) A Temporary Storage Container that is not removed at the end of the time for which permission has been granted shall be deemed to be an illegal structure and may be removed by the Town/Village of Harrison immediately, without notice, and the costs and expenses thereof shall be certified to the Town/Village Board, which shall assess such costs and expenses against the property on which the Temporary Storage Container was located, to be collected and enforced in the same manner as real property taxes.

§ 208-6 Construction Debris Container Permit Application; Approval.

- (1) No person, firm or corporation shall place, put, position or situate a Construction Debris Container without first obtaining either a building permit alteration permit, or separate Construction Debris Container permit from the Building Department for each Construction Debris Container.
- (2) Application for a Construction Debris Container permit shall be made to the Building Inspector on forms provided by the Building Department and shall contain the following information:
 - (a) A description of the property or area where the Construction Debris Container will be placed.
 - (b) The full name and address of the applicant, or the names and addresses of responsible officers, if the applicant is a corporation.
 - (c) A brief description of exactly where the Construction Debris Container is placed.
 - (d) Such other information as may be reasonably required to establish compliance with the requirements of the applicable ordinances and regulations.
- (3) Application shall be made by the owner or lessee, or agent of either. Where such application is made by a person other than the owner, it shall be accompanied by an affidavit of the owner or applicant that the applicant is authorized to make such application.

- (4) The Building Inspector shall examine or cause to be examined all applications for permits and the insurance plans filed therewith; he shall approve or disapprove the application within a reasonable time.
- (5) Upon approval of the applications and upon receipt of the legal fees therefore, the Building Inspector shall issue a Construction Debris Container permit to the applicant upon the form prescribed by him and shall affix his signature or cause his signature to be affixed hereto. The approved permit shall be kept at the site open to inspection by the Building Inspector or his authorized representative at all reasonable times.
- (6) A Construction Debris Container permit is effective for the lesser of term of the building permit or 6 months but may be renewed by the Building Inspector or the Building Inspector may allot a longer time period to the applicant dependent upon need and a request for such submitted with the application.

§ 208-7 Permit Fees.

Construction Debris Container and Temporary Storage Container permit fees shall be set by Resolution of the Town Board.

§ 208-8 Penalties for Offenses.

A. It shall be unlawful for any person, firm or corporation to place, put, position or situate a Temporary Storage Container or a Construction Debris Container in violation of any provision of this article or to fail in any manner to comply with a notice, directive or order of the Building Inspector, or to use any Construction Debris Container in a manner not permitted by a valid permit.

- (1) A person who shall knowingly violate any of the applicable provisions of this article or any lawful order, notice, directive, permit or certificate of the Building Department made thereunder shall be guilty of disorderly conduct, and such person shall be a disorderly person, and upon conviction thereof, shall be subject to a fine of \$250. Each day during which there is a failure to comply with the provisions of this article or of any order issued by the Building Department shall constitute a separate offense.
- (2) Upon violation of any of the provisions of this article (e.g., a Construction Debris Container that is blocking access or one that has not been emptied properly), the permit can be revoked and the Construction Debris Container removed.

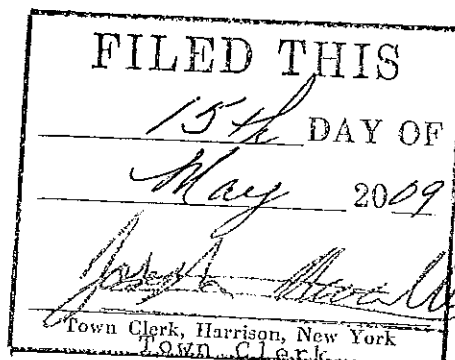
FURTHER RESOLVED to forward a copy of this Resolution to the Town Clerk, the Building Inspector, the Commissioner of Public Works, the Chief of Police and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



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May 7, 2009

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APPROVAL FOR THE ADDITIONS TO THE RECREATION
PART TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Superintendent of Recreation Ron Belmont for approval of the additions to the Recreation Part Time availability list.

<u>NAME</u>	<u>HOURLY RATE</u>
Jonathan Bell	\$ 8.75
Christopher Cosentino	6.75
Kiefer Sullivan	6.00
Jeremy Storm (LG)	8.25
Chris Repecki (LG)	7.50
Matt Cysner (LG)	7.50
Jessica Hamburg (LG)	8.75
Patti Day	10.00

FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation, the Personnel Manager and the Comptroller.

Adopted by the following vote:

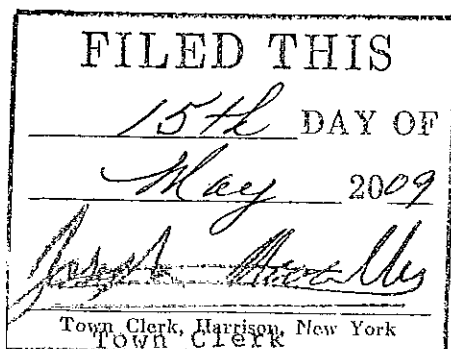
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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May 7, 2009

2009 - - 184

AUTHORIZATION FOR THE WEST HARRISON FIRE CHIEF AND ASST. FIRE CHIEF
TO ATTEND THE NEW YORK STATE FIRE CHIEFS CONVENTION
IN VERONA, NY, FROM JUNE 10-13, 2009. COST: \$3,500.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by the Chief of the West Harrison Fire Department Patrick Galluzzo for authorization for himself and his Assistant Chief to attend the New York State Fire Chiefs Convention in Verona, NY, from June 10-13, 2009, at a cost of \$3,500.

FURTHER RESOLVED to authorize the Comptroller to issue an advance check in the amount of \$3,500 to cover expenses.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of the West Harrison Fire Department, the Comptroller and the Town Attorneys.

Adopted by the following vote:

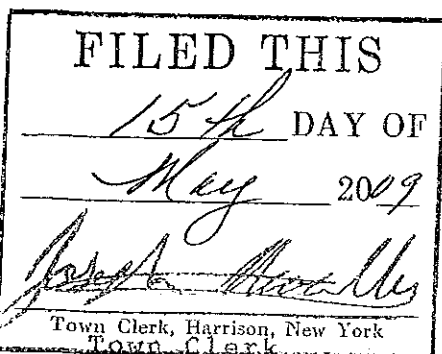
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Chief of the W.H. Fire Dept.

May 7, 2009

2009 -- 185 -- a

APPROVAL FOR THE HARRISON FOOD PANTRY TO ACCEPT AN
HPNAP GRANT, IN THE AMOUNT OF \$1,000,
FROM THE FOOD BANK FOR WESTCHESTER

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept an HPNAP Grant, in the amount of \$1,000, from the Food Bank for Westchester for the Harrison Food Pantry.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Community Services, the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

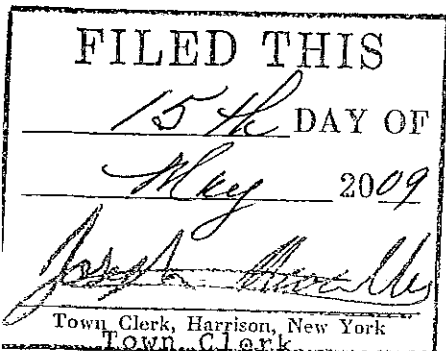
NAYS: None

ABSENT: None

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Director of Community Services



May 7, 2009

2009 - - 185 - - b

APPROVAL FOR THE HARRISON FOOD PANTRY TO ACCEPT A DONATION,
IN THE AMOUNT OF \$200, FROM THE
WEST HARRISON NEIGHBORHOOD ASSOCIATION

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept a donation in the amount of \$200, from the West Harrison Neighborhood Association for the Harrison Food Pantry.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Community Services, the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

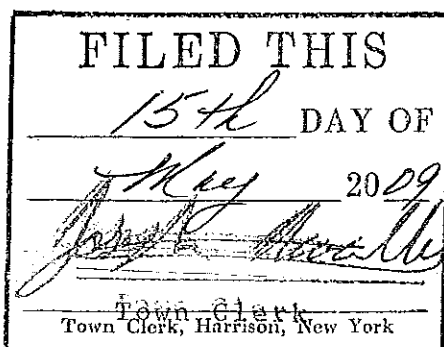
NAYS: None

ABSENT: None

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Nina Marraccini
Director of Community Services



May 7, 2009

2009 - - 186

APPROVAL FOR 300 CYCLISTS FROM ALS - TRI-STATE TREK TO TRAVEL
THROUGH HARRISON ON THEIR WAY FROM BOSTON TO NEW YORK
BETWEEN JULY 24 AND JULY 26, 2009

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Scott Dunberg, Event Coordinator for ALS - Tri-State Trek for authorization for 300 cyclists to travel through Harrison on their way from Boston to New York, between July 24 and July 26, 2009.

FURTHER RESOLVED that this approval is contingent upon submission of a Certificate of Insurance.

FURTHER RESOLVED to refer the matter to the Harrison Police Chief David Hall.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police and the Town Attorneys.

Adopted by the following vote:

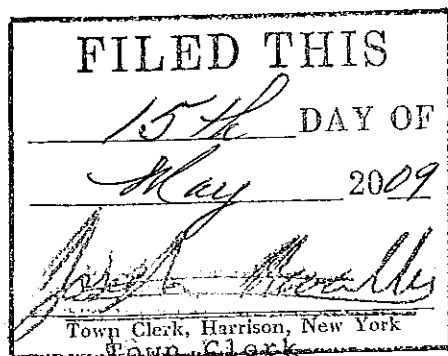
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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May 7, 2009

2009 - - 187

APPROVAL FOR PURCHASE ORDER # 291147, FOR MISCELLANEOUS ITEMS, FOR
FIRE DISTRICT #1, AMOUNT: \$10,789.90.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Director of Purchasing Judy D'Agostinis for authorization for Purchase Order # 291147, for miscellaneous items, Vendor: AAA Emergency Supply, Co., 635 No. Broadway, White Plains, NY 10603, in the amount of \$10,789.90, for Fire District #1.

FURTHER RESOLVED that funding is available in account #010-3410-100-02-40.

FURTHER RESOLVED to forward a copy of this Director of Purchasing, the Comptroller, the Chief of FD #1 and the Town Attorneys.

Adopted by the following vote:

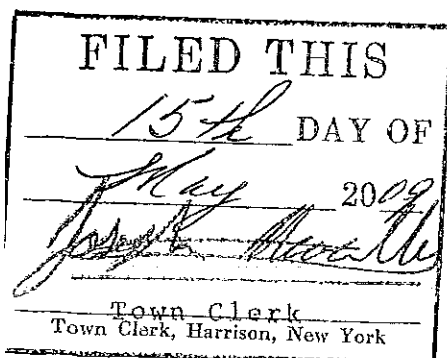
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Chief of FD #1

May 7, 2009

2009 - - 188

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR CALVARY HOSPITAL'S
21st ANNUAL GOLF AND TENNIS CLASSIC, TO BE HELD ON MONDAY, AUGUST 3rd,
AT THE BRAE BURN COUNTRY CLUB.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Vincent Spinelli, Executive Vice President of Calvary Fund Inc, of Calvary Hospital for a Special Events Permit for the Hospital's 21st Annual Golf and Tennis Classic, to be held on Monday, August 3, 2009, at the Brae Burn Country Club.

FURTHER RESOLVED that approval is contingent upon submission of Certificate of Insurance and that the permit fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Mr. Spinelli, the Building Inspector and the Town Attorneys.

Adopted by the following vote:

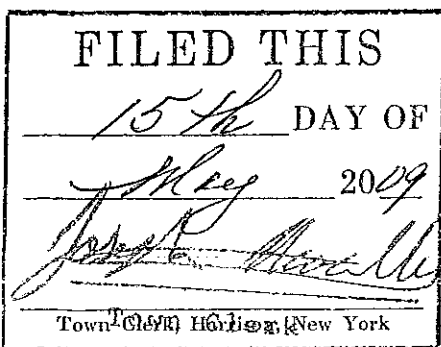
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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May 7, 2009

2009 - - 189

APPROVAL TO SCHEDULE A PUBLIC HEARING ON MAY 21, 2009
RE: THE DISCONTINUANCE OF A PORTION OF ROCKWELL STREET.

Supervisor Walsh stated Petti John Park has never been dedicated because of the paper road which runs through it.

Members of the audience disagreed.

Maria DiMateo, resident, addressed the Board. Mrs. DiMateo questioned if she provided the town with newspaper articles proving the park was dedicated, would the matter be researched further.

Supervisor Walsh responded yes.

Mrs. DiMato further stated selling open space is not the best thing to do for the Town of Harrison especially in a highly densely populated area such as the one Petti John Park is in.

Patty Langiolotti, resident, addressed the Board. Mrs. Langiolotti stated she visited the Town Clerk's office and has a copy of a Resolution which designated a piece of Petti John Park where a wading pool existed as park land many years ago.

Supervisor Walsh contended that if that matter does not go through the State Legislature then it is not a true dedication.

Lucille Held, resident, addressed the Board. Mrs. Held stated just because the matter was never brought before the State Legislature does not mean it does not exist.

Supervisor Walsh contended that the issue that must be considered is whether or not the Resolution designating the land included the entire park land or just the piece of property in which a wading pool existed in 1936.

Village Attorney Robert Paladino stated the issue of the Public Hearing that will be before the Board will be to discontinue a paper street which runs through Petti John Park. This action will consolidate different pieces of property into park land. The issue of selling any property is a secondary issue. The Board could stop at the discontinuation of the street or it could choose at a separate time to sell the other lot that is formed. Mr. Paladino further stated this action would be in the best interest of the park to designate it as park land.

Councilman Cannella stated Mr. Paladino was partly correct however, this is a two part issue and ultimately a decision will have to be made on what to do with both pieces of property.

Mrs. Held asked the Board to review each parcel in town that is owned by the town and sell the one that will have the least impact with the greatest amount in return.

Mrs. DiMateo stated this is a primary issue for the residents of the area and if the lot is sold and built on it will become a quality of life issue.

On motion of Councilman Vetere, seconded by Supervisor Walsh,
it was

RESOLVED to approve the request by Village Attorney Robert Paladino to schedule a Public Hearing on May 21, 2009 Re: the discontinuance of a portion of Rockwell Street.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys.

Adopted by the following vote:

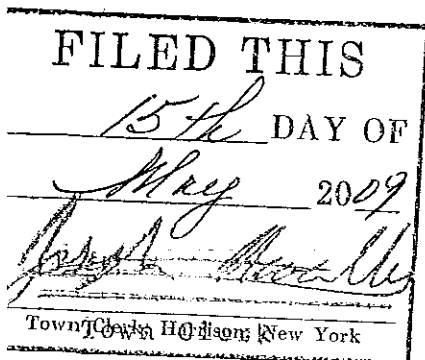
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☒ Bldg
- ☒ Compt'r
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☐ Recr'tn
- ☒ Supvs'r
- ☐



May 7, 2009

2009 -- 190

APPROVAL TO SCHEDULE A PUBLIC HEARING ON MAY 21, 2009 FOR
A SPECIAL EXCEPTION USE PERMIT FOR A TWO FLOOR BUILDING
ON LAKE STREET, BLOCK 832, LOT 3,
LOCATED WITHIN THE NB ZONING DISTRICT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to schedule a Public Hearing on May 21, 2009 for a Special Exception Use Permit for a two floor building on Lake Street, Block 832, Lot 3, located within the NB Zoning District.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, the Commissioner of Public Works, the Fire Marshal and the Town Attorneys.

Adopted by the following vote:

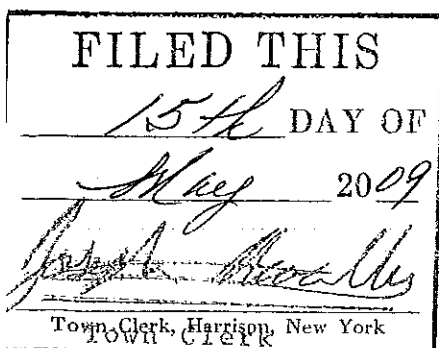
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☒ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
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☒ Purch'g
☒ Recr'tn
☐ Supvs'r



May 7, 2009

2009 - - 191

APPROVAL FOR 40 OLD LAKE ST, WEST HARRISON, TO BE WITHDRAWN FROM
THE MAMARONECK VALLEY SEWER DISTRICT

Town Clerk Joseph Acocella advised the Board that according to County Legislator Marty Rogowsky's office, a majority of the applicants who have applied to be removed from the sewer district have been denied based on a requirement that their property be at least 40,000 sq feet. Mr. Acocella further advised the Board they should continue to approve the requests of the residents and he (Mr. Acocella) will continue to send a letter to the Westchester County Board of Legislators with the requests. Mr. Acocella stated Legislator Rogowsky is looking into the matter and would update Mr. Acocella's office.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Frank Trapani, Jr. to have his property at 40 Old Lake St, West Harrison, withdrawn from the Mamaroneck Valley Sewer District.

FURTHER RESOLVED to forward a copy of this Resolution to the Westchester County Board of Legislators, Mr. Trapani Jr. and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

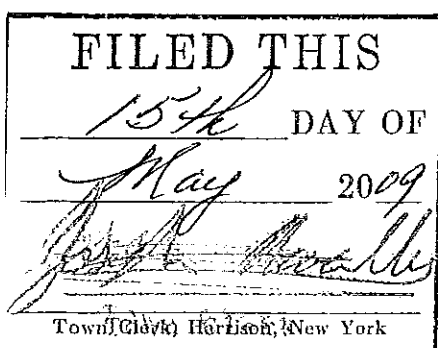
NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supys'r

West. Cty. Bd. of Leg.



May 7, 2009

2009 - - 192

APPROVAL OF A SPECIAL EVENT PERMIT FOR
THE CHURCH OF ST. ANTHONY OF PADUA TO HOLD THEIR FESTA
ON JUNE 5TH, 6TH AND 7, 2009 INCLUDING PERMISSION TO
HOLD THEIR PROCESSION ON SUNDAY, JUNE 7TH,
THROUGH THE STREETS OF WEST HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Rev. Christopher Monturo of the Church of St. Anthony of Padua for a Special Event Permit to hold their Festa on June 5th, 6th and 7, 2009 including permission to hold their procession on Sunday, June 7th, through the streets of West Harrison, beginning at 11:15 AM, starting at the Church.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that a sanitation truck be stationed on the Festa grounds.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, Rev. Monturo, the Commissioner of Public Works, the Chief of FD #1, the Harrison EMS and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

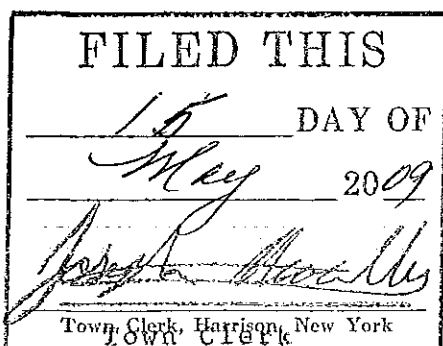
ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☒ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
☒ Supvs'r

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☒

Rev. Monturo
Chief of FD #1
Harrison EMS



May 7, 2009

2009 - - 193

APPROVAL FOR "BRAKING THE CYCLE" TO TRAVEL THROUGH HARRISON ON
SUNDAY, SEPTEMBER 13, 2009

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Steve Bratton, Logistics Coordinator for "Braking the Cycle", for authorization for "Braking the Cycle" to travel through Harrison on Sunday, September 13, 2009.

FURTHER RESOLVED that approval is contingent upon submission of a Certificate of Insurance and the matter be referred to the Harrison Police Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, the Chief of Police and the Town Attorneys.

Adopted by the following vote:

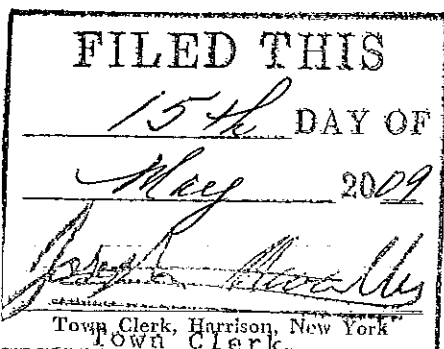
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☒ Bldg
☒ Compt'lr
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☐ Law
☒ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
☒ Supvs'r



May 7, 2009

2009 - - 194

APPROVAL FOR 626 PURCHASE STREET, RYE, TO BE WITHDRAWN FROM
THE BLIND BROOK SEWER DISTRICT.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Frank and Barbara Shea to have their property at 626 Purchase Street, Rye, withdrawn from the Blind Brook Sewer District.

FURTHER RESOLVED to forward a copy of this Resolution to the Westchester County Board of Legislators, Mr. & Mrs. Shea, and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☐ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r
☒

West. Cty Bd of Leg.

FILED THIS

15th DAY OF

May 2009

Town Clerk, Harrison, New York

May 7, 2009

2009 - - 195

APPROVAL FOR 59 KENILWORTH ROAD, RYE, TO BE WITHDRAWN FROM
THE MAMARONECK VALLEY SEWER DISTRICT.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Robert Miller to have his property at 59 Kenilworth Road, Rye, withdrawn from the Mamaroneck Valley Sewer District.

FURTHER RESOLVED to forward a copy of this Resolution to the Westchester County Board of Legislators, Mr. Miller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

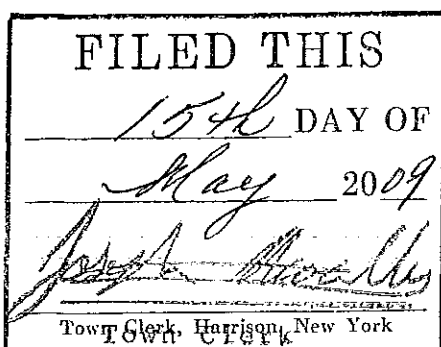
NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☒ Bldg
- ☒ Compt'lr
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☒ Recr'tn
- ☒ Supvs'r

West. Cty. Bd. of Leg.



May 7, 2009

2009 - - 196

APPROVAL TO SCHEDULE A PUBLIC HEARING ON MAY 21, 2009 FOR
A SPECIAL EXCEPTION USE PERMIT

RE: DEMOLITION OF THE EXISTING BUILDING AT 27 PURDY STREET, HARRISON,
AND TO RECONSTRUCT A THREE (3) STORY BUILDING WITH AN OFFICE ON THE
FIRST FLOOR AND TWO (2) APARTMENTS ON THE SECOND AND THIRD FLOOR

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Anthony Caligiuri to schedule a Public Hearing on May 21, 2009 for a Special Exception Use Permit re: demolition of the existing building at 27 Purdy Street, Harrison, and to reconstruct a three (3) story building with an office on the first floor and two (2) apartments on the second and third floor.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, Mr. Caligiuri, the Commissioner of Public Works, the Fire Marshal and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

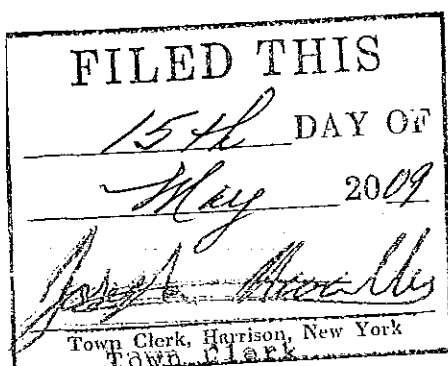
NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'in
☒ Supvs'r

Fire Marshal



May 7, 2009

2009 - - 197

APPROVAL OF PURCHASE ORDER #291319,
RE: STREET LIGHTING. COST: \$16,333.90

On motion of Councilman Vetere, seconded by Councilman Cannella,
it was

RESOLVED to approve the request by Director of Purchasing Judy D'Agostinis for authorization for Purchase Order #291319, Vendor: Lite Concepts, Inc, P.O.Box 1075, White Plains, NY 10602, RE: street lighting, at a cost of \$16,333.90.

FURTHER RESOLVED that funding is available in account #001-5182-100-04-10.

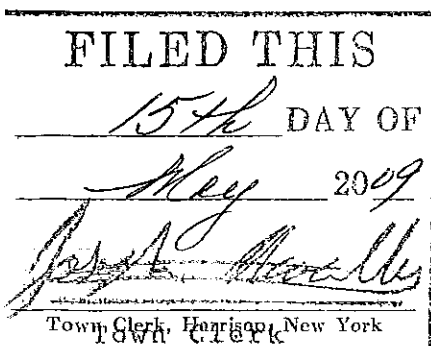
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Director of Purchasing and the Town Attorneys.

Adopted by the following vote:

AYES:	Councilmen Cannella, Scappaticci, Vetere and Sciliano Supervisor Walsh
NAYS:	None
ABSENT:	None

Copies to:

☐ Assessor
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☒ Purch'g
☐ Recr'tn
☒ Supvs'r



May 7, 2009

2009 - - 198

AUTHORIZATION FOR THE SUPERVISOR TO EXECUTE
THE WESTCHESTER COUNTY INTER-MUNICIPAL MUTUAL AID AND RAPID
RESPONSE PLAN AGREEMENT WITH THE TOWN OF HARRISON
FOR POLICE DEPARTMENT SERVICES.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Supervisor to execute the Westchester County Inter-Municipal Mutual Aid and Rapid Response Plan Agreement with the Town of Harrison for Police Department Services.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Chief of Police and the Town Attorneys.

Adopted by the following vote:

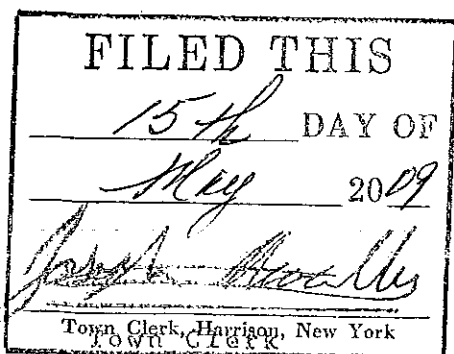
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
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☒ Supvs'r



May 7, 2009

2009 - - 199

APPROVAL FOR 260 OLD LAKE STREET, WEST HARRISON, NY 10604 TO BE
WITHDRAWN FROM THE MAMARONECK VALLEY SEWER DISTRICT.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Antonio Agazzi to have his property at 260 Old Lake Street, West Harrison, to be withdrawn from the Mamaroneck Valley Sewer District.

FURTHER RESOLVED to forward a copy of this Resolution to the Westchester County Board of Legislators, Mr. Agazzi and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

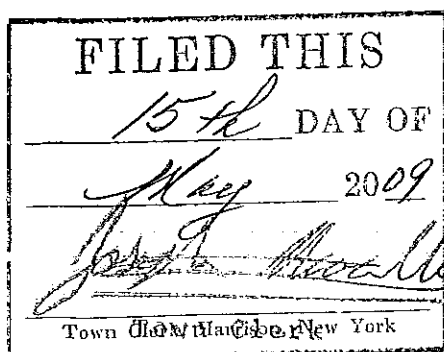
NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
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☐ Recr'tn
☒ Supvs'r

West. Cty. Bd. of Leg.



May 7, 2009

2009 - - 200

APPOINTMENT OF HELEN PESCE
TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Helen Pesce to the Board of Assessment Review in place of former member Lia Laurino, with her term to expire on September 30, 2013.

FURTHER RESOLVED to forward this Resolution to the Assessor.

Adopted by the following vote:

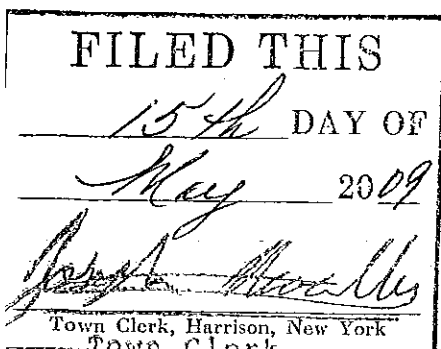
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☒ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
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☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r
☐



May 7, 2009

2009 - - 201

APPROVAL OF THE NYS SNOW AND ICE AGREEMENT EXTENSION FOR
THE SNOW SEASON 2010/2011.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the NYS Snow and Ice Agreement Extension for the snow season 2010/2011.

FURTHER RESOLVED that the Supervisor is authorized to sign the NYS Snow & Ice Agreement with the County of Westchester and Commissioner of Public Works Robert Wasp is authorized to sign the maps.

FURTHER RESOLVED to forward this request to the Comptroller, the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

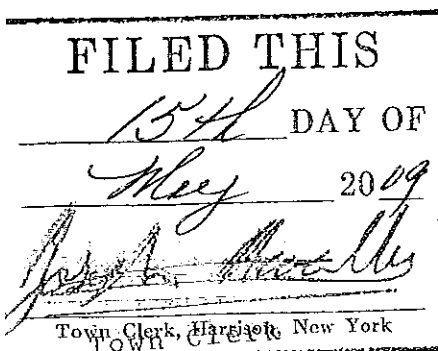
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
☒ Engrng
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☐ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
☒ Supvs'r
☐



May 7, 2009

2009 - - 202

APPROVAL TO RELEASE THE RESERVE CONTINGENCY
IN THE AMOUNT OF \$675,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,
it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to release the Reserve Contingency in the amount of \$675,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

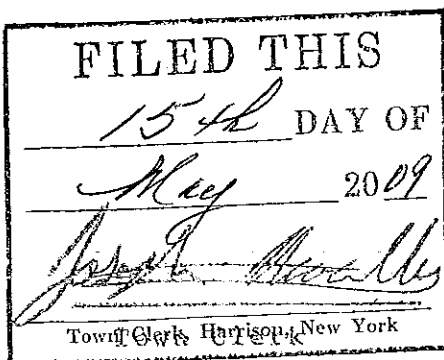
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☒ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r



May 7, 2009

2009 - - 203 - - a

AUTHORIZATION TO TRANSFER FROM LINES WITHIN THE TOWN
TO THE TOWN CONTINGENCY LINE

On motion of Supervisor Walsh, seconded by Councilman Cannella,

it was

RESOLVED to authorize the transfer of \$351,149.00 to the Town contingency line 1900-100-4490.

FURTHER RESOLVED the funds will be transferred from the following budget lines:

	BUDGET	REMAINING	CUT
001-1110-100-0130 TOWN JUSTICE PT SALARIES	\$ 7,800.00	\$ 7,681.00	\$ 2,000.00
001-1110-100-0403 TOWN JUST. OFF. SUPPLIES	\$ 1,900.00	\$ 1,165.00	\$ 300.00
001-1110-100-0430 TOWN JUST.PRINTING/STAT.	\$ 1,500.00	\$ 1,500.00	\$ 300.00
001-1220-100-0417 SUPERVISOR POSTAGE	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00
001-1220-100-0418 SUPERVISOR TELEPHONE	\$ 1,352.00	\$ 86.00	\$ 500.00
001-1220-100-0430 SUPERVISOR PRINTING&STAT.	\$ 5,000.00	\$ 3,844.00	\$ 500.00
001-1315-100-0130 COMPTROLLER PT SALARIES	\$ 8,000.00	\$ 5,483.00	\$ 5,483.00
001-1330-100-0430 TAX RECEIVER PRINT&STAT.	\$ 4,000.00	\$ 3,760.00	\$ 1,000.00

001-1345-100-0130 PURCHASING PART TIME	\$ 1,250.00	\$ 1,250.00	\$ 1,250.00
001-1345-100-0403 PURCHASING OFF.SUPPLIES	\$ 22,000.00	\$ 15,238.00	\$ 2,000.00
001-1355-100-0120 ASSESSOR OT SALARIES	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00
001-1355-100-0407 ASSESSOR SPEC.SERVICES	\$ 65,000.00	\$ 21,269.00	\$11,000.00
001-1355-100-0415 ASSESSOR SCHOOLING	\$ 1,783.00	\$ 1,783.00	\$ 500.00
001-1355-100-0472 ASSESSOR GASOLINE	\$ 2,500.00	\$ 2,374.00	\$ 1,000.00
001-1410-100-0430 TOWN CLERK PRINT&STAT.	\$ 1,200.00	\$ 1,154.00	\$ 200.00
001-1410-100-0433 MEMBRSHP	\$ 450.00	\$ 412.50	\$ 100.00
001-1410-100- 0418TELEPHONE	\$ 1,566.00	\$ 1,115.00	\$ 100.00
001-1410-100-0445 BOOKS	\$ 250.00	\$ 163.00	\$ 100.00
001-1411-100-0130 TWN CLERK ARCHIVE PT SAL	\$ 10,000.00	\$ 8,710.00	\$ 2,500.00
001-1420-100-0102 LAW DEPT.SALARIES	\$300,916.00	\$212,532.00	\$59,163.00
001-1420-100-0403 LAW OFFICE SUPPLIES	\$ 750.00	\$ 696.00	\$ 300.00
001-1420-100-0407 LAW SPECIAL SERVICES	\$ 25,000.00	\$ 20,352.00	\$ 3,000.00
001-1440-100-0472 ENGINEER GASOLINE	\$ 3,600.00	\$ 3,360.00	\$ 1,100.00

001-1490-100-0130 PUBLIC WORKS PT SAL	\$ 250.00	\$ 250.00	\$ 250.00
001-1490-100-0242 PUBLIC WORKS SAFETY EQP	\$ 3,000.00	\$ 2,859.00	\$ 500.00
001-1490-100-0472 PUBLICWORKS GASOLINE	\$ 3,825.00	\$ 3,483.00	\$ 800.00
001-1610-100-0403 CENTRAL OFFICE SUPPLIES	\$ 2,500.00	\$ 2,276.00	\$ 1,500.00
001-1610-100-0430 PRINTING&STATIONARY	\$ 1,600.00	\$ 1,600.00	\$ 1,000.00
001-1620-100-0120 GTB OVERTIME	\$ 50,000.00	\$ 44,631.00	\$ 10,000.00
001-1620-100-0130 GTB PART TIME SALARIES	\$ 15,000.00	\$ 12,730.00	\$ 6,000.00
001-1620-100-0240 OTHER EQUIPMENT	\$ 12,000.00	\$ 12,000.00	\$ 6,000.00
001-1620-100-0401 BUILDG MTCE&SUPPLIES	\$ 120,000.00	\$ 75,618.00	\$ 5,000.00
001-1620-100-0423 UNIFORM ALLOWANCE	\$ 11,700.00	\$ 1,800.00	\$ 1,000.00
001-1640-100-0402 EQUIPMTCE&REPAIR	\$ 11,000.00	\$ 8,262.00	\$ 3,500.00
001-1640-100-0423 UNIFORM ALLOWANCE	\$ 13,200.00	\$ 2,300.00	\$ 2,000.00
001-1680-100-0240	\$ 7,000.00	\$ 7,000.00	\$ 3,500.00

OTHER EQUIPMAENT

001-1680-100-0402 EQUIP.MTCE.&REPAIR	\$ 18,952.00	\$ 18,952.00	\$ 6,620.00
001-1680-100-0403 DATA PROC.OFFICE SUPP.	\$ 7,000.00	\$ 4,551.00	\$ 1,500.00
001-1680-100-409 DATAPROC/COMP.EXP.TRNG	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00
001-3120-100-0120 POLICE OVERTIME	\$ 700,000.00	See below	\$ 40,000.00
001-3120-100-0210 FURNITURE	\$ 1,500.00	\$ 420.00	\$ 420.00
001-3120-100-0403 POLICE OFF SUPPLIES	\$ 15,000.00	\$ 8,507.00	\$ 2,500.00
001-3120-100-0407 POLICE SPEC.SERVICES	\$ 38,000.00	\$ 20,566.00	\$ 3,000.00
001-3120-100-0410 POLICE MATERIALS/SUPP.	\$ 40,000.00	\$ 30,138.00	\$ 5,000.00
001-3120-100-0479 POLICE AUTO BODY	\$ 9,500.00	\$ 8,693.00	\$ 3,000.00
001-3120-100-0491 SCHOOL RESOURCE PROG.	\$ 5,580.00	\$ 3,765.00	\$ 1,000.00.
001-3310-100-0410 TRAFFICE MAT.&SUPPLIES	\$ 25,000.00	\$ 20,372.00	\$ 5,000.00
001-3420-100-0102 FIRE INSPECTOR SALARIES	\$ 168,365.00	\$ 118,694.00	\$ 48,163.00

001-3420-100-0130 FIRE INSPECT.PT.SALARIES	\$ 60,000.00	\$ 52,070.00	\$ 30,000.00
001-3420-100-0423 FIRE INSPECT.UNIFORMS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
001-3420-100-0430 FIRE INSP.PRINTING	\$ 1,000.00	\$ 970.00	\$ 500.00
001-3420-100-0470 FIRE INSP. GASOLINE	\$ 2,100.00	\$ 1,843.00	\$ 1,000.00
001-3620-100-0120 BUILDING OVERTIME	\$ 50,000.00	\$ 45,563.00	\$ 25,000.00
001-3620-100-0423 BUILDING UNIFORMS	\$ 1,300.00	\$ 1,300.00	\$ 500.00
001-3620-100-0470 BUILDING GASOLINE	\$ 9,000.00	\$ 8,512.00	\$ 2,000.00
001-5182-100-0402 STREETLIGHTING/EQUIPMTCE	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00
001-5182-100-0410 STREETLIGHTING MAT&SUPP	\$ 30,000.00	\$ 27,939.00	\$ 5,000.00
001-7140-100-0120 PARKS&PLAYGROUNDS OT	\$ 36,000.00	\$ 34,764.00	\$ 5,000.00
001-7140-100-0130 PARKS&PLAYGROUNDS PT	\$ 30,000.00	\$ 26,480.00	\$ 5,000.00
001-7140-100-0240 PARKS&PLAY.OTHER EQUIP	\$ 36,000.00	\$ 31,527.00	\$ 5,000.00
001-7140-100-0401 PARKSBLDG.MTCE.&SUPP.	\$ 8,000.00	\$ 7,953.00	\$ 2,000.00

001-7140-100-0402 PARKS EQUIP.MTCE.&REPAIR	\$ 42,000.00	\$ 34,241.00	\$ 5,000.00
001-7140-100-0405 PARKS CARE OF GROUNDS	\$ 38,000.00	\$ 25,583.00	\$ 3,000.00
001-7140-100-0410 PARKS MATS.& SUPPLIES	\$ 25,000.00	\$ 24,207.00	\$ 2,000.00
001-8010-100-0407 ZONING SPECIAL SERVICES	\$ 6,800.00	\$ 5,950.00	\$ 1,000.00
001-8020-100-0120 PLANNING BRD.OVERTIME	\$ 15,000.00	\$ 12,598.00	\$ 2,000.00
			\$255,203.00
Police overtime budget	\$ 700,000.00		
Charge for training	\$ 230,110.11		
Amt. remaining for Overtime	\$ 469,889.89		
	12		
Monthly budget	\$ 39,157.49		
	4		
Budget Jan-April	\$ 156,629.96		
OT accrued/paid through April	\$ 115,855.39		
Amt. under budget to be reserved in Contingency	\$ 40,774.57		

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

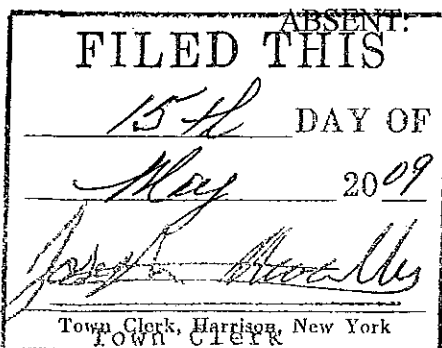
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☒ Bldg
☒ Compt'lr
☒ Engng
☒ Law
☒ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
☒ Supvs'r



May 7, 2009

2009 - - 203 - - b

AUTHORIZATION TO TRANSFER FROM LINES WITHIN THE TOWN
TO THE LIBRARY CONTINGENCY LINE

On motion of Supervisor Walsh, seconded by Councilman Cannella,

it was

RESOLVED to authorize the transfer of \$17,400 to the Library contingency line 2-1900-100-4490.

FURTHER RESOLVED the funds will be transferred from the following budget lines:

	BUDGET	REMAIN	CUT
002-7410-100-0403			
OFFICE SUPPLIES	\$ 12,000.00	\$ 8,890.00	\$ 1,500.00
002-7410-100-0406	\$ 1,000.00	\$ 800.00	\$ 500.00
TRAVEL&CONFERENCE			
002-7410-100-0407	\$ 10,250.00	\$ 6,411.00	\$ 500.00
SPECIAL SERVICE			
002-7410-100-0417	\$ 1,500.00	\$ 1,478.00	\$ 400.00
POSTAGE			
002-7410-100-0418	\$ 15,350.00	\$ 9,551.00	\$ 500.00
TELEPHONE			
002-7410-100-0420	\$ 41,332.00	\$36,319.00	\$ 2,000.00
PASNY ELECTRIC			
002-7410-100-0451	\$165,000.00	\$57,069.00	\$10,000.00
BOOKS,SERIAL,PERIODICALS			
002-7410-100-0453	\$ 41,000.00	\$32,501.00	\$ 2,000.00

AUDIO VISUAL MATERIALS

Total:

\$17,400.00

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Library Director and the Town Attorneys.

Adopted by the following vote:

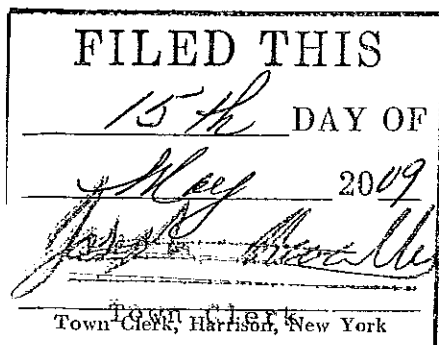
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'lr
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☐ Recr'tn
- ☒ Supvs'r
- ☐



May 7, 2009

2009 - - 203 - - c
AUTHORIZATION TO APPROVE THE BUDGET TRANSFER
FROM LINES WITHIN THE HIGHWAY FUND

On motion of Supervisor Walsh, seconded by Councilman Cannella,

it was

RESOLVED to authorize the transfer of \$65,500 within the Highway fund.

FURTHER RESOLVED that the funds will be transferred from the following budget lines:

HIGHWAY FUND
USE TO REPLENISH SALT ACCOUNT BORROWING OF \$100,000 FROM NIKE CLEAN UP
ACCOUNT

	BUDGET	REMAINING	CUT
003-5110-100-0102			
HIGHWAY SALARIES	\$2,005,340.00	\$1,418,374.00	\$ 11,000.00
003-5110-100-0240			
OTHER EQUIPMENT	\$ 7,500.00	\$ 6,823.00	\$ 2,000.00
003-5110-100-0416			
RENTALS	\$ 50,000.00	\$ 39,995.00	\$ 5,000.00
003-5110-100-0418			
TELEPHONE	\$ 21,840.00	\$ 17,984.00	\$ 4,000.00
003-5110-100-0423			
UNIFORMS	\$ 21,750.00	\$ 2,119.00	\$ 1,000.00
003-5110-100-0437			
STREET SIGNS	\$ 4,000.00	\$ 3,824.00	\$ 1,000.00
003-5110-100-0472			
GASOLINE	\$ 19,800.00	\$ 17,156.00	\$ 4,000.00
003-5130-100-0240			
	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00

OTHER EQUIPMENT

003-9000-100-0880	\$	\$	\$
WELFARE BENEFITS	26,125.00	14,012.00	1,500.00

TO BE TRANSFERRED TO NIKE CLEAN UP ACCOUNT	\$
003-5110-100-0488	34,500.00

\$100,000.00

\$

34,500.00

\$

UNFUNDED AMOUNT

65,500.00

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano .
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supys'r

FILED THIS

15th DAY OF

May 2009

Town Clerk, Harrison, New York
Town Clerk

May 7, 2009

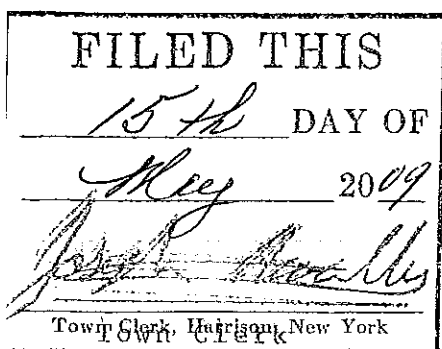
2009 - - 204

ADJOURNED: REQUEST FOR THE SUPERVISOR TO REQUEST THE NYS SENATE
AND ASSEMBLY TO INTRODUCE A BILL CREATING THE POSITION OF POLICE
DEPARTMENT AIDE/ COURT ATTENDANT UNDER SECTION 210 OF
THE CRIMINAL PROCEDURE LAW.

The matter was adjourned to executive session.

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☐ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r
☐



May 7, 2009

2009 - - 205
DISCUSSION
RE: FACEBOOK MATTER

Jimmi Pritchard, resident, addressed the Board. Mrs. Pritchard questioned how much longer it would be before a decision is made regarding the employees who were suspended for the Facebook incident.

Supervisor Walsh stated that the investigation was still ongoing and a decision would be made soon.

Deputy Village Attorney Jonathan Kraut stated the investigation is still ongoing and the Board would be in a position to comment within the next thirty days. Mr. Kraut further advised the Board not to comment on the matter any further.

Mrs. Pritchard questioned what the delay was in the investigation and how many days remained for the town to bring charges against the individuals.

Mr. Kraut stated this was a legal matter and as such he and the Board could not comment any further on the matter.

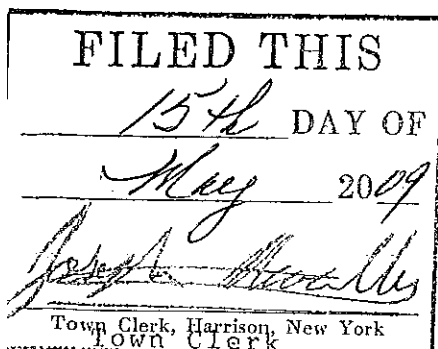
Mrs. Pritchard questioned how much Mr. Kraut was paid to not answer questions.

Mrs. Pritchard was deemed out of order.

Roy Porto, resident, addressed the Board. Mr. Porto contends the investigation should be over and the individuals should be punished for their actions. Mr. Porto stated he did not understand why the investigation is taking so long.

Copies to:

___ Assessor
___ Benefits
___ Bldg
✓ Compt'r
✓ Engrng
✓ Law
___ Police
✓ P. Wrks
✓ Purch'g
___ Recr'tn
___ Supvs'r



May 7, 2009

2009 - - 206
DISCUSSION

RE: PROPOSED FIXED TOWING CHARGES

Deputy Village Attorney Jonathan Kraut presented a synopsis of the proposed law to fix the towing charges within the Town of Harrison. Mr. Kraut further stated he has incorporated all of the Board members comments to the proposal. Mr. Kraut stated the Board has two options:

The first being a Resolution dealing with non-consensual towing (in which the Board has jurisdiction to fix the rate) certain requirements on the part of the town company would be to have indemnity, insurance, conformance and equipment requirements, a fee schedule and an application process into the on duty rotational tow list. With regard to consensual towing, Mr. Kraut recommends adopting a local law which would carry provisions concerning indemnity and insurance, the posting of the tow rate fees on the tow truck, a written acknowledgment signed by the motorist concerning the towing and storage rates prior to the tow. These would be requirements for a town company who was called by the motorist. Mr. Kraut further explained that the fee for storing the vehicle on a day the vehicle could not be picked up (i.e. Sunday) would be eliminated. There would also be a requirement on the tow company's part to maintain all tow records for a certain period of time.

The Board discussed the difference between consensual and non consensual tows.

The Board requested Mr. Kraut draft a proposed law concerning the discussed points.

The President of United Towing (name unknown), addressed the Board. The gentleman requested that Board ask the advice of the local tow companies before finalizing any law regulating the tow charges.

Mr. Kraut responded he would be happy to accept any feedback from the local tow companies.

Copies to:

- ☒ Assessor
- ☒ Board
- ☒ Clerk
- ☒ Comm'l
- ☒ Engrg
- ☒ Law
- ☒ Police
- ☒ P. Works
- ☒ Purchg
- ☒ Rec'n
- ☒ Supvs'r

FILED THIS

15th DAY OF

May 2009

Town Clerk, Harrison, New York

May 7, 2009

2009 - - 207
DISCUSSION

RE: LAW DEPARTMENT COST

Lucille Held, resident, addressed the Board. Mrs. Held first thanked Fire Marshal Steve Surace for his service to the Town of Harrison. Mr. Surace will be retiring at the end of the month and Mrs. Held wishes him well. Mrs. Held went on to state that she believed the Town of Harrison was paying too much in costs for the Town Attorneys. Mrs. Held contended that other municipalities such as Scarsdale and Port Chester have only one paid attorney on staff. The municipalities do however hire a law firm and use the law firm for all additional legal work aspects. It is Mrs. Held's contention that the Town of Harrison spends \$1.4 million on attorney costs with five attorneys including benefits and stipends while other local municipalities spend a fraction of the cost. Mrs. Held recommends cutting the legal portion of the budget considerable by hiring a law firm for legal work instead of keeping the attorneys on staff.

Supervisor Walsh stated that when she became Supervisor she looked at how other municipalities handle their legal work. The Supervisor explained there are municipalities who hire one law firm to do the legal work however; Harrison is inundated with too many legal matters to have one firm handle the case load.

Mark Jaffe, resident, addressed the Board. Mr. Jaffe stated he proposed to the Board back when the budget was being prepared that a citizen's budget committee be formed to review the spending in the town. Mr. Jaffe stated he, to date, has not heard from anyone on his request for such a committee and still believed that it could serve a valuable purpose.

Supervisor Walsh stated she did receive numerous volunteers for such a committee and apologized to Mr. Jaffe for overlooking his name. The Supervisor explained that a meeting did take place with the volunteers a few weeks ago and many good suggestions came out of it for savings.

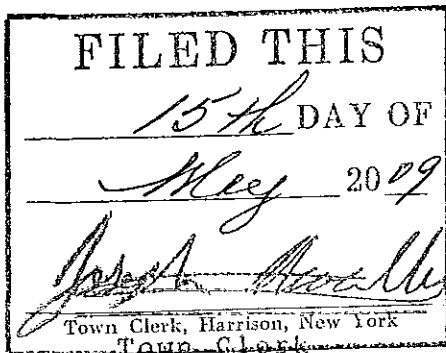
Mr. Jaffe stated he was willing to help in cutting the excessive amount of spending in the budget.

Supervisor Walsh stated there is very little excess in the current budget and the only thing remaining is give backs from the employees. The Supervisor explained the town is looking extremely careful at each item it spends its money on while there are still many items which still must be addressed, i.e. sanitation.

Mr. Jaffe stated he believed he could find \$5 million to cut from the budget.

Supervisor Walsh challenged Mr. Jaffe to come close to cutting \$5 million dollars from the budget.

Brendon Murphy, resident, addressed the Board. Mr. Murphy stated he believed there are other areas to bring in revenue. Mr. Murphy stated the Board should not be waiving permit fees as they did earlier in the evening when they are looking to make cuts in other areas.



Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'r
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☐ Purch'g
- ☐ Recr'tn
- ☒ Supvs'r
- ☐

May 7, 2009

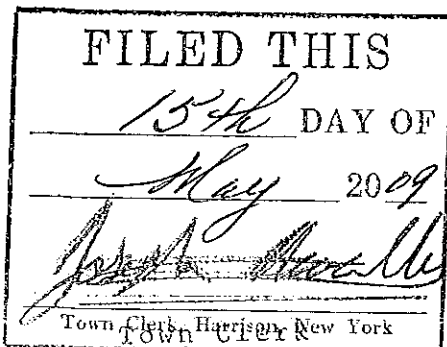
2009 - - 208

LETTER OF PRAISE FROM RESIDENT TO HARRISON FIRE DEPARTMENT

Supervisor Walsh read a letter of praise from Dr. and Mrs. Simon addressed to the members of the Harrison Fire Department. Dr. & Mrs. Simon wished to thank the members of the department for responding to their home when their carbon monoxide alarm went off.

Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'n
- ☒ Engrng
- ☒ Law
- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☒ Recr'm
- ☐ Supvs'r



May 7, 2009

2009 - - 209

MATTERS FOR EXECUTIVE SESSION

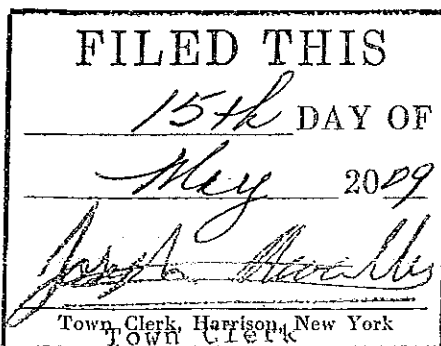
Personnel	3
Specific Personnel History	1
Advise of Counsel	2
Contract Negotiations	1
Litigation	1
Potential Sale of Property	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed at 9:33 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened at 11:31 PM

Copies to:

<input type="checkbox"/>	Assessor
<input type="checkbox"/>	Benefits
<input type="checkbox"/>	Bldg
<input checked="" type="checkbox"/>	Compt'lr
<input checked="" type="checkbox"/>	Engrng
<input type="checkbox"/>	Law
<input type="checkbox"/>	Police
<input checked="" type="checkbox"/>	P. Wrks
<input checked="" type="checkbox"/>	Purch'g
<input checked="" type="checkbox"/>	Recr'tn
<input type="checkbox"/>	Supvs'r



May 7, 2009

2009 - - 210

AUTHORIZATION FOR THE SUPERVISOR TO REQUEST AN AMENDMENT TO
SECTION 210 OF THE
NEW YORK STATE CRIMINAL PROCEDURE LAW
RE: DEFINITION OF PEACE OFFICER POLICE AIDE/COURT ATTENDANT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Supervisor to request an amendment from the NYS Senate and Legislature to Section 210 of the New York State Criminal Procedure Law to include in the definition of Peace Officer Police Aide/Court Attendant in the Town/Village of Harrison.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police and the Town Attorneys.

Adopted by the following vote:

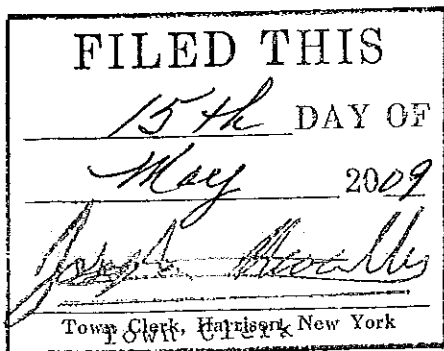
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'lr
☒ Engrng
☐ Law
☒ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'm
☐ Supvs'r
☐



May 7, 2009

2009 -- 211

APPROVAL TO RAISE THE CAP IN LEGAL FEES
IN THE MATTER OF FAGA v TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap in legal fees in the matter of Faga v. Town of Harrison to \$25,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

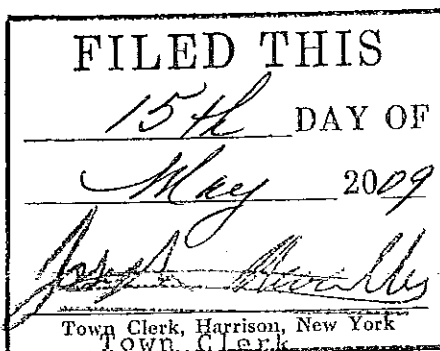
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r
☐



May 7, 2009

2009 - - 212

APPROVAL TO RAISE CAP IN LEGAL FEES FOR JOSEPH MARIA
IN THE MATTER OF CASTALDI v TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap in legal fees for Joseph Maria in the matter of Castaldi v. Town of Harrison to \$50,000.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was on motion duly made and seconded,
with all members voting in favor, declared closed at 11:34 PM.

Respectfully submitted,

Joseph Acocella
Town Clerk

Copies to:

___ Assessor
___ Benefits
___ Bldg
☒ Compt'lr
☒ Engng
___ Law
___ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'tn
___ Supvs'r

